IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3559 OF 2007

Sushma Gangadhar Jadhav,& Anr. ...Petitioners

vs.

The State of Maharashtra through
the Tahsildar, Dindori,Dist.Nashik
and others ...Respondents

Mr.P.N.Joshi for the Petitioners
Ms Mhaispurkar, A.G.P. for State

CORAM: A.S.OKA,J.
DATE : MAY 4,2007.

P.C.:

1. Heard learned Advocate for the Petitioners and the learned A.G.P. for Respondent Nos.1 and 22. One of the grievances made in the Writ Petition is that though the statutory Appeal preferred by the Petitioner was admitted by the Respondent No.22 on 13th November 2006, till today no order has been passed on the Application for stay. The learned A.G.P. appearing for the Respondent no.22 states that the Application for stay will be decided by the Appellate Authority within a period of two weeks from today.

2. In view of this statement, Writ Petition need not be kept pending and the same can be disposed of by granting a limited protection to the Petitioner.

3. Hence, I pass the following order :

i) Application for stay filed by the Petitioners shall be disposed of by the Appellate Authority within a period of two weeks from the date of production of an authenticated copy of this order.

ii) Till the application for stay is heard, no steps shall be taken for implementation of the order passed by the Tahsildar which is impugned in the Appeal preferred before the Respondent No.22. In case the order on stay application is adverse to the Petitioners, the limited protection granted to the Petitioners will continue to apply for a period of two weeks from the date of communication of the said order to the Petitioners.

iii) The Application for stay will be decided by the Appellate Authority without being influenced by a grant of limited protection by this Court.

iv) All contentions of the parties on merits are expressly kept open.

iv)A The Writ Petition is disposed of in above terms.

v) Parties to act upon an authenticated copy of this

order.

JUDGE